

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES**

In re patent application of:) Date: January 8, 2009
Thomas J. Foth, et al) Attorney Docket No.: F-627
Serial No.: 10/656,789) Customer No.: 00919
Filed: September 5, 2003) Group Art Unit: 3623
Confirmation No.: 8969) Examiner: Folashade Anderson

Title: **METHOD AND SYSTEM FOR GENERATING INFORMATION
ABOUT RELATIONSHIPS BETWEEN ENTERPRISE AND OTHER
PARTIES AND SHARING SUCH INFORMATION AMONG USERS IN
THE ENTERPRISE**

APPELLANT'S BRIEF

Sir:

This brief is in furtherance of the Notice of Appeal filed in this case on December 2, 2008.

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I. Real Party in Interest

The real party in interest in this appeal is Pitney Bowes Inc., a Delaware corporation, the assignee of this application.

II. Related Appeals and Interferences

There are no related Appeals and Interferences.

III. Status of Claims

- A) Claims 1 – 3, 6 - 22 and 31 -34 are in the application.
- B) Claims 4, 5 and 23 – 30 have been cancelled
- C) Claims 1 – 3, 6 - 22 and 31 -34 are rejected.
- D) Claims 1 – 3, 6 - 22 and 31 -34 are on appeal.

IV. Status of Amendments

An Amendment subsequent to the September 2, 2008, Final Rejection was filed on October 22, 2008. This Amendment was entered.

V. Summary of Claimed Subject Matter

The claimed invention relates to a method, system and computer readable medium for providing instructions to implement the method in the system, to automatically generate and distribute information relating to relationships between an enterprise and other parties.

Claim 1 is the first of the two independent claims in this application. Claim 1 is a method for controlling a system for automatically generating and distributing information. The method comprises the following steps.

- a) monitoring a document as it is processed by a user; (paragraph 0027, page 6)
- b) identifying a reference to a party in said document; (paragraph 0028, page 6)
- c) accessing a database that stores information about various users including weights assigned by the various users; (paragraph 0030, pages 6 - 7)
- d) accessing a database of information relating to relationships between an enterprise and other parties wherein said information includes a value of said relationship to said enterprise, a quality of said relationship to said enterprise and the weights assigned by the various users; (paragraph 0033, page 8) and
- e) if a record relating to said party exists in said database, providing information relating to a relationship between said enterprise and said party to said user. (paragraph 0004, page 2)

Appellant's invention is shown in paragraph 0004 of page 2, paragraph 0022 of page 4 to paragraph 0035 of page 8 of Appellant's Patent application. Claim 1 is also illustrated in Figs. 1 - 5.

[0002] Customer Resource Management systems (hereinafter sometimes CRM systems) are known and will be familiar to anyone who deals regularly with a supplier having such a system. CRM systems allow users in a supplier organization to access information about a customer relationship. For example when a customer calls in an order a CRM system allows a representative to access information such as the customer's address, credit card number, credit rating, valued customer status, etc. CRM systems can also track a customer's buying habits so that marketing efforts can be targeted in a cost effective manner. While useful for their intended purpose, optimizing revenue production from a customer relationship, CRM systems are limited in that they are essentially repositories of objective information such as addresses, credit ratings and the like and typically do not contain information relating to subjective opinions which may be held by people in the supplier's organization. Further, CRM systems are typically passive in that they are responsive to requests for information, express or implied (e.g. a call from a customer to a representative is automatically treated as an implied request by the representative for information about that customer), and are not designed to actively "push" information to persons who may have a need for

information about a relationship but not know where to seek the information, or who may be unaware of the importance of a relationship, or even of the existence of a relationship. Because in today's "just in time" economy suppliers can become integrated into an enterprise's structure to an extent which is uncommon for a customer, such capabilities, which CRM systems are believed to lack, are of particular importance in managing relationships between enterprises and their suppliers, strategic partners, professional service providers, and the like (hereinafter sometimes "parties" or "other parties"); where it may be important that anyone dealing with another party be aware of both the value or importance of the relationship and of the quality of the relationship. It is also believed to be important that the subjective opinions of at least some members of an enterprise be considered in formulating an overall, or enterprise wide, understanding of the value and quality of such relationships.

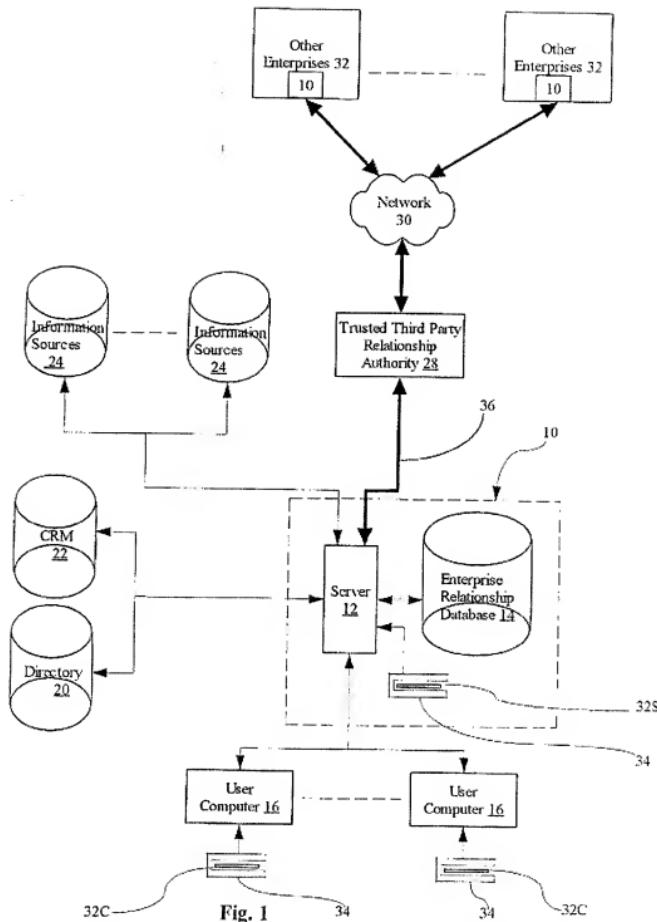


Fig. 1

Figure 1 shows a system for gathering data and generating and distributing information about relationships between an enterprise and various other parties such as suppliers, strategic partners, competitors, or, in general, any party with which the enterprise may have a relationship of sufficient importance that information, including subjective opinion, about the relationship should be broadly based and widely distributed among members of the enterprise. Database system 10 includes server 12 and enterprise relationship database 14. Server 12 communicates with user computers 16 to provide access to database 14 in a conventional manner. Database 14 stores individual and composite or overall ratings of relationships with other parties both in terms of value to the enterprise and in terms of the quality of the relationship.

[0023] Server 12 also communicates with personnel directory 20, CRM database 22, and information sources 24 to obtain additional information used to generate information about enterprise relationships, as will be described further below. Additionally server 12 communicates with other enterprises 32 through relationship authority 28 and network 30 to obtain other enterprises' 32 ratings of their relationships with other parties of interest, as will also be described further below. Preferably authority 28 is operated by a trusted third party who collects, abstracts and summarizes information about relationships from participating enterprises in a confidential and secure manner so that enterprises can share information about relationships with particular other parties without compromising competitive information. Preferably connection 36 and communications through network 30 between server 12 and authority 28 are secure connections such as an internet/https connections. Communication among server 12 and other devices shown in Figure 1 is preferably carried out in any convenient, conventional manner which need not be described further here for an understanding of the present invention.

[0024] Personnel database 20 stores information about various users including weights to be assigned to inputs by particular users and authorizations for access to particular system functions. CRM database 22 is a conventional customer resource management database and is accessed to identify other parties who are customers of the enterprise since this can affect other aspects of the relationship with that other party.

[0025] Information sources 24 are typically commercial sources such as those provided under the service names "Dun and Bradstreet" or "Lexus/Nexus" and are accessed by the system in accordance with predetermined enterprise standards when additional information about particular other parties is requested by a system user.

[0026] In the embodiment of Figure 1 server 12 and computers 16 are programmed to carry out the method of the present invention by instructions provided by portable magnetic disks 32S, for server 12, and 32C, for computers 16, and disk drives 34. In other embodiments of the present invention any other convenient computer readable medium can be used to provide instructions to server 12 or computers 16. The term "computer-readable medium" as used herein refers to any medium that participates in providing instructions to server 12 or computers 16 for execution. Such a medium may take many forms, including but not limited to, non-volatile media, volatile media, and transmission media. Non-volatile media include, for example, optical or magnetic disks. Volatile media include dynamic memory. Transmission media include coaxial cables, copper wire and fiber optics. Transmission media can also take the form of acoustic or electromagnetic waves, such as those generated during radio frequency (RF) and infrared (IR) data communications. Common forms of computer-readable media include, for example, a floppy disk, a flexible disk, hard disk, magnetic tape, any other magnetic medium, a CD-ROM, DVD, any other optical medium, punch cards, paper tape, any other physical medium with patterns of holes, a RAM, a PROM, and EPROM, a FLASH-EPROM, any other memory chip or cartridge, a carrier wave as described hereinafter, or any other medium from which a computer can read.

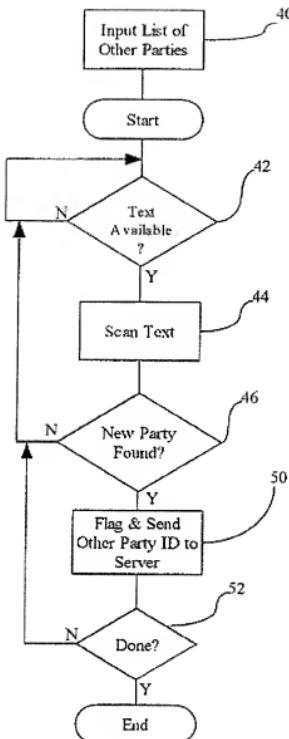
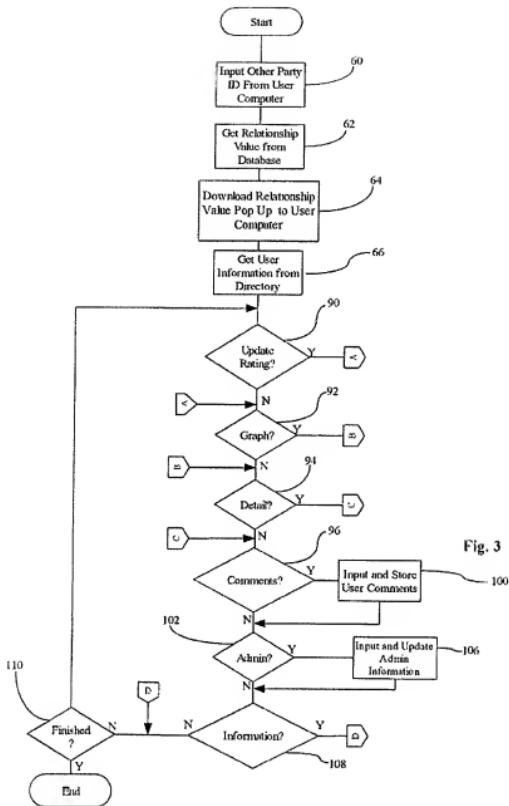


Fig. 2

[0027] In a preferred embodiment of the present invention client software running on user computer 16 detects reference to another party in a document which is being processed (e.g. created, reviewed, or revised) on user computer 16. Figure 2 shows a flow diagram of the operation of such client software.

[0028] At preliminary step 40 a list of other parties of interest is input. The list can be generated in any convenient manner and identifies those other parties which have relationships of at least minimal importance to the enterprise. Preferably other parties are identified by all common names or logos; (e.g. Pitney Bowes Inc., PBI, PB, Pitney) and can also be identified by the names of major divisions or subsidiaries.

[0029] Then, if the client software has been started, at step 42 computer 16 determines if text is available; i.e. if a document is being processed. If not the software loops through step 42, and otherwise, at step 44, scans the text. Preferably, as is common in the art, the text is scanned in the window screen buffer(s) (not shown) of computer 16. At step 46 computer 16 determines if another party, which has not previously been identified during the session, has been found. If not it returns to step 42. Otherwise at step 50 it sends the other party ID to server 12 and, at step 52 determines if the session is done, and, if not returns to step 42, and otherwise exits.



[0030] Figure 3 shows diagram of the operation of server 12 in response to input of another party ID from computer 16. At step 60 server 12 inputs an other party's ID from the screen buffer(s) of computer 16. At step 62 it accesses database 14 to obtain a current rating for the value of the relationship. (By value herein is meant the perceived importance of the relationship to achieving goals of the enterprise.) At step 64 server 12 downloads a window screen of the type commonly referred to as a "pop-

up" which is familiar to internet users, and which is shown in Figure 4. At step 66 server 12 obtains user information which includes weights to be given to the user's inputs with respect to the particular relationship under consideration from personnel database 20. Preferably database 20 is maintained using the industry standard Lightweight Directory Access Protocol (LDAP) and stores information relating to system users such as weights to be given to a user's inputs with respect to a particular party, permitted access, account numbers etc.

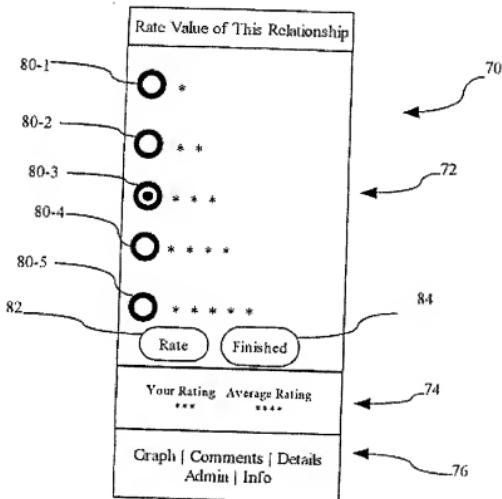


Fig. 4

[0031] Turning to Figure 4, pop-up 70 includes fields 72, 74, and 76. Field 72 includes tabs 80-1 through 80-5, 82 and 84. A user can select a value rating for the relationship with the other party by clicking on a corresponding one of tabs 80-1

through 80-5 and enter the rating by clicking on rate tab 82. The user can end the rating function by clicking on the finished tab 84. Field 74 displays the user's selected value rating and an average or overall rating. Field 76 displays additional tabs which the user can click on to select Graph, Comments, Details, Administrative, or Information capabilities as will be described further below.

[0032] Returning to Figure 3, at step 90 sever 12 determines if the user has entered a value rating and, if the weight to be given to the user's input is not zero, updates the value rating for the relationship under consideration, as will be described with respect to Figure 5A below. Otherwise, or after updating the value rating, at step 92 server 12 determines if the user has requested a graphic view of the value and quality ratings for the relationship, as will be described with respect to Figure 5B below. Otherwise, or after displaying the graph, at step 94 server 12 determines if the user has requested details of the value and quality ratings for the relationship, as will be described with respect to Figure 5C below. Otherwise, or after returning details the value rating, at step 96 server 12 determines if the user has requested to input comments. If so, at step 100, server 12 inputs and stores the comments in database 14 with respect to the relationship in any convenient manner. Otherwise, or after storing the user's comments, at step 102 server 12 determines if the user has requested to update administrative information such as account numbers or passwords. If so, at step 106, server 12 inputs and stores the administrative information in any convenient manner. Otherwise, or after storing the administrative information, at step 108 server 12 determines if the user has requested information from other information sources 24, as will be described with respect to Figure 5D below. Otherwise, or after returning the requested information, at step 110 server 12 determines if the user has finished, and if so ends the session for the relationship under consideration, and otherwise returns to step 90; thus allowing the user to modify ratings, requests for information, add comments, etc. based on responses received.

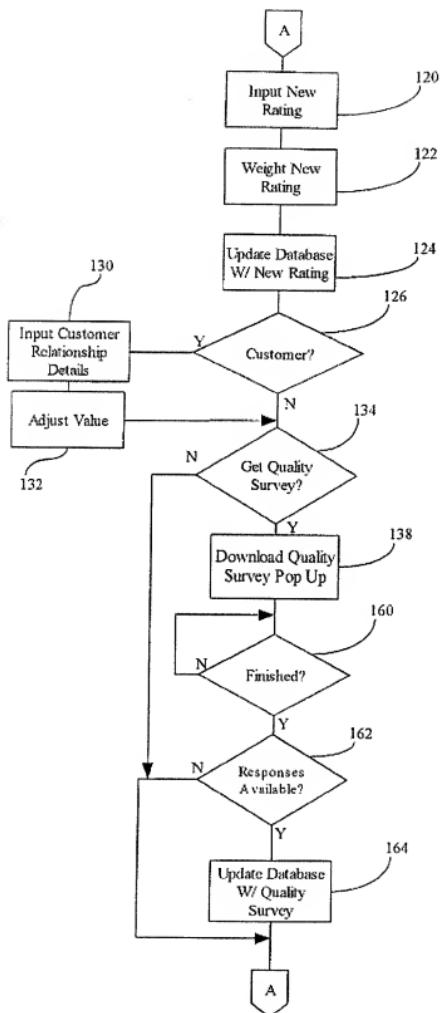


Fig. 5A

[0033] As shown in Figure 5A, at step 120 sever 12 inputs the user's value rating, at step 122 applies the weights determined at step 66, and at step 124 updates database 14 with new overall ratings reflecting the user's weighted input; preferably as a weighted sum of user inputs. These weights, for example, can vary with a user's position within the organization, experience with a particular party, or functional responsibilities. In other embodiments of the present invention value (and quality) ratings are maintained on a departmental or divisional basis as well as for the enterprise as a whole.

[0034] At step 126 server 12 determines if the other party is a customer, and if so, at step 130 accesses CRM database 22 to obtain details of the customer relationship and then, at step 132, adjusts the value rating to reflect the other party's status as a customer. While the present invention contemplates that, for example, a relationship with a party who is both a supplier and a customer will, other things being equal, be more valuable to an enterprise than a relationship with a supplier who is not a customer; details of how value ratings should be adjusted to reflect an other party's customer status will vary for different enterprises and are preferably configurable based upon the system task.

[0035] After any necessary adjustments to the value rating are made, at step 134 server 12 determines from information accessed at step 66 if the user is to be surveyed with regard to the quality of the relationship. If not it returns to step 92 in Figure 3. Otherwise, at step 138, it downloads quality survey pop-up 140, shown in Figure 6.

Claim 12 is the second of the two independent claims in this application. Claim 12 is a system for automatically generating and distributing information. The system comprises:

- a) a computer for processing documents; (paragraph 0022, page 4)
- b) a database system comprising: (paragraph 0030, pages 6 - 7)
 - b1) a database of information relating to relationships between an enterprise and other parties; (paragraph 0030, pages 6 - 7) and
 - b2) a server for controlling access to said database and for communicating with said computer; (paragraph 0030, pages 6 - 7) where

- c) said computer is programmed to:
 - c1) monitor a document as it is processed by a user on said computer; (paragraph 0026, pages 5 - 6)
 - c2) identify a reference to a party in said document; (paragraph 0028, page 6) and
 - c3) send information identifying said party to said server; and where
- d) said server is programmed to: (paragraph 0029, page 6)
 - d1) receive said identifying information; (paragraph 0032, pages 7 - 8)
 - d2) accessing a database that stores information about various users, including weights to be assigned by various users; (paragraph 0034, page 8)
 - d3) access said database for information relating to a relationship between said enterprise and said party that includes a value of said relationship to said enterprise, a quality of said relationship to said enterprise and the weights assigned by various users; (paragraph 0035, page 8) and
 - d4) if a record relating to said party exists in said database, send said information relating to a relationship between said enterprise and said party to said computer. ; (paragraph 0004, page 2)

VI. Grounds of Rejection to be Reviewed on Appeal

- A. Whether or not claims 1 - 3, and 12 – 16 are patentable under 35 USC § 103(a) over Cerwin (U.S. Publication No. 2002/0188497 A1) in view of Shoemaker et. al. (U.S. Publication No.2003/0167197 A1).
- B. Whether or not claims 6, 17 and 31 - 34 are patentable under 35 USC § 103(a) over Cerwin (U.S. Publication No. 2002/0188497 A1) in view of Shoemaker (U.S. Publication No. 2003/0167197 A1) and further in view of Crockett et. al. (U.S. Publication No. 2004/0039631 A1).
- C. Whether or not claims 7 and 18 are patentable under 35 USC § 103(a) over Cerwin in view of Shoemaker and further in view of Parker (U.S. Publication No. 2002/0052774 A1).

D. Whether or not claims 8, 10, 11, 19, 21 and 22 are patentable under 35 USC § 103(a) over Cerwin in view of Couchot et. al.

E. Whether or not claims 9 and 20 are patentable under 35 USC § 103(a) over Cerwin (U.S. Publication No. 2002/0188497 A1) in view of Couchot et. al. (U.S. Publication No. 2003/0065553 A1) and further in view of Feher (U.S. Publication No. 2004/0002893 A1).

VII. **Argument**

A. **Claims 1 - 3, and 12 – 16 have been rejected by the Examiner under 35 USC § 103(a) over Cerwin (U.S. Publication No. 2002/0188497 A1) in view of Shoemaker et. al. (U.S. Publication No.2003/0167197 A1).**

Claims 1 –3

Cerwin discloses the following in paragraph [0015]:

[0015] A customer's relationship and interaction with an entity (e.g., a bank, service or product provider, etc.) may be multi-faceted. For example, a customer may use one or more of the available delivery channels (e.g., call center, Internet access, branch office, interactive voice response), to access multiple products (e.g., checking, loans, savings, investments), make multiple contacts (e.g., transactions, information requests, complaints), participate in one or more group memberships (e.g., household, business), hold external financial relationships (e.g., insurance, accounts at other financial institutions), and have life events and plans (e.g., children, college education, house addition, vacation, retirement). Further, customers (predominately businesses) may grant trusted third parties access to customer information, which may be common with accountant and financial planning advisor relationships, for example. Capturing, analyzing, distributing, and leveraging information regarding a customer's total perspective provides a business (or other entity) the ability to provide individualized and personalized service. This further enables an entity (e.g., a bank, product provider, service provider, etc.) the ability to customize and personalize information based on the knowledge of comprehensive customer relationships, current services, previous transactions, wants, and needs of the customer.

Cerwin discloses the following in paragraph [0005]:

[0005] The present invention provides an automated process for gathering and integrating customer profiles in a database,

processing update and query requests on the customer profiles, and distributing profile information. Profile information may include transaction history, profitability analysis, customer contact, preferences, demographic data, psychographic profile, relationships to other customers or organizations, channel usage, and methods of identification and authentication used to recognize the customer at any point of contact.

Cerwin discloses a system for creating a repository of knowledge of customer relationships.

Shoemaker discloses the following in paragraph [0006]:

[0006] In the above manner, the present invention satisfies the need for a customer relationship measurement and management system which provides immediate access to individualized survey results and offers recommended action plans based upon the survey results. These and other features, aspects, and advantages of the present invention will become better understood with reference to the following description.

Shoemaker discloses the following in paragraph [0023]:

[0023] By clicking on the respondent name and choosing the view/edit respondent data option 72, a respondent data page 80 is displayed. An exemplary respondent data page 80 is shown in FIG. 4. The respondent data page includes contact information 81 for the respondent including name, address, phone number, and e-mail. In addition, the respondent data page allows the user to define the language the respondent speaks under language option 82. This language will be used when the respondent is contacted by the system 20 and requested to participate in a market research survey. If the respondent agrees to participate, the survey is also provided to the respondent in this language. Below the respondent contact information 81, the user is provided with the option to update the respondent data 84, cancel any new data entered 86, return to the account information page 88, or return to the account listing page 90. The respondent information table 70 is also shown on the bottom of the respondent data page 80.

Shoemaker discloses the following in paragraph 0029.

[0029] As shown in FIG. 10., the first step 170 of the survey translation process is completion of a final version of a survey in the English language. In the next step 171, the English language survey is entered into the system 20 and stored in one of the

system databases 28 using a web survey tool (not shown). After the survey is checked for accuracy and completeness in step 172, various languages are associated with the survey for translation purposes in step 173. These languages correspond to languages to be associated with various respondents that will be requested to complete the survey. After desired translation languages are associated with the survey, the survey is flagged as a "pending translation" in the database 28 in step 174. Next, in step 175, translators are notified via e-mail that a survey needs to be translated. The translators are responsible for translating the entire survey including all survey questions, scales, introduction materials, and section comments from the default language (i.e., English) to the additional native language(s) associated with the survey. The e-mail messages sent to the translators include a link to a translation tool (not shown) and authentication and access codes for accessing the translation tool.

Shoemaker discloses the following in paragraph 0027.

[0027] Respondents use one of the remote computers 24 to access the surveys by entering the URL address in their browser or, if a URL link is provided with an e-mail invitation, the respondent simply clicks on the URL link within the e-mail invitation. After arriving at the URL address and entering the appropriate identification and authentication information, if any, the respondent is provided access to the customer survey tool 32. Once the respondents access the customer survey tool 32, the respondents are lead through various pages of a customer satisfaction survey 34 (also referred to herein as an "on-line survey"). Each respondent's answers are stored within the databases 28 when the respondent completes the on-line survey. A page from an exemplary survey 34 is shown in FIG. 5. The survey asks questions in the area of customer loyalty and satisfaction, including questions concerning the customers perception of the company in the areas of value, quality, and price of the company products and/or services. The survey 34 accepts multiple choice answers from the respondents based upon their experience with the company. In addition, the survey may allow respondents to enter text answers and comments to certain questions.

Shoemaker provides individual survey results and offers recommend plans based on the survey results.

Cerwin and Shoemaker taken separately or together do not disclose or anticipate steps c, d and e of claim 1 and those claims dependent thereon, namely, c)

accessing a database that stores information about various users including weights assigned by the various users; d) accessing a database of information relating to relationships between an enterprise and other parties wherein said information includes a value of said relationship to said enterprise, a quality of said relationship to said enterprise and the weights assigned by the various users; and e) if a record relating to said party exists in said database, providing information relating to a relationship between said enterprise and said party to said user.

Claims 12 – 16

Shoemaker discloses the following in paragraph 0017.

[0017] One embodiment of the present invention is now described in more detail with reference to the above figures. As shown in FIG. 1, a Customer Relationship Measurement and Management System 20 includes a central computer 22 (e.g., a server) linking various remote computers 24 via a network such as the Internet 26. The central computer is controlled by a market research firm and hosts an Internet website which provides a company with an account management software tool 30. The central computer also hosts a website which provides the company's customers with access to a customer survey tool 32. Both the account management tool 30 and the customer survey tool 32 are software tools written in hypertext markup language (html), or other language commonly found for world-wide-web applications, and both are accessible by authorized users via remote computers 24 connected to the Internet. The central computer 22 has access to a plurality of databases 28 which contain information about the company and the company's customers. For example, the databases contain information about the company hierarchy from top-level management through individual account managers responsible for particular customer accounts. The databases also contain information about the company's customer accounts and individual contacts that work for those customers. A company account manager is associated with each individual contact in the database.

Cerwin and Shoemaker taken separately or together do not disclose or anticipate steps d2, d3 and d4 of claim 12, and those claims dependent thereon, namely, d2) accessing a database that stores information about various users, including weights to be assigned by various users; d3) access said database for information relating to a relationship between said enterprise and said party that includes a value of said

relationship to said enterprise, a quality of said relationship to said enterprise and the weights assigned by various users; and d4) if a record relating to said party exists in said database, send said information relating to a relationship between said enterprise and said party to said computer.

Notwithstanding the foregoing, in rejecting a claim under 35 U.S.C. §103, the Examiner is charged with the initial burden for providing a factual basis to support the obviousness conclusion. *In re Warner*, 379 F.2d 1011, 154 USPQ 173 (CCPA 1967); *In re Lunsford*, 375 F.2d 385, 148 USPQ 721 (CCPA 1966); *In re Freed*, 425 F.2d 785, 165 USPQ 570 (CCPA 1970). The Examiner is also required to explain how and why one having ordinary skill in the art would have been led to modify an applied reference and/or combine applied references to arrive at the claimed invention. *In re Ochiai*, 37 USPQ2d 1127 (Fed. Cir. 1995); *In re Deuel*, 51 F.3d 1552, 34 USPQ 1210 (Fed. Cir. 1995); *In re Fritch*, 972 F.2d 1260, 23 USPQ 1780 (Fed. Cir. 1992); *Uniroyal, Inc. v. Rudkin-Wiley Corp.*, 837 F.2d 1044, 5 USPQ2d 1434 (Fed. Cir. 1988). See *KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. ___, 127 S.Ct. 1727, 1735 (2007) ("[R]ejections on obviousness grounds cannot be sustained by mere conclusory statements; instead, there must be some articulated reasoning with some rational underpinning to support the legal conclusion of obviousness." *Id.* (quoting *Kahn*, 441 F.3d at 988)). See also, *Takeda Chem. Indus., Ltd. v. Alphapharm Pty., Ltd.*, 492 F.3d 1350, 1357 (Fed. Cir. 2007) (To avoid improper use of hindsight, the Examiner must articulate "a reason that would have prompted a person of ordinary skill in the relevant field to combine the elements in the way the claimed new invention does" in an obviousness determination. (quoting *KSR*, 127 S. Ct. at 1731)).

See also, *In re Kahn*, 441 F.3d 977 (Fed. Cir. 2006) (Most inventions arise from a combination of old elements and each element may often be found in the prior art. However, mere identification in the prior art of each element is insufficient to defeat the patentability of the combined subject matter as a whole).

B. Claims 6, 17 and 31 - 34 have been rejected by the Examiner under 36 USC § 103(a) over Cerwin (U.S. Publication No. 2002/0188497 A1) in view of

Shoemaker (U.S. Publication No. 2003/0167197 A1) and further in view of Crockett et. al. (U.S. Publication No. 2004/0039631 A1).

In addition to the arguments made in above Section A please consider the following. Claims 6 and 31-34 depend on claim 1 and claim 17 depends on claim 12.

Claims 6 and 34

Crockett discloses the following in paragraph [0007]:

"[04]071 According to some implementations, the computer system can generate an overall assessment of the organization's customer relationship management capabilities using a weighted score of each of the capabilities. The computer system also can generate an assessment of each of the organization's customer relationship management capabilities using a weighted score of each of the capabilities."

Cerwin, Shoemaker and Crockett taken separately or together do not disclose or anticipate steps c, d and e of claim 1, and those claims dependent thereon, namely, c) accessing a database that stores information about various users including weights assigned by the various users; d) accessing a database of information relating to relationships between an enterprise and other parties wherein said information includes a value of said relationship to said enterprise, a quality of said relationship to said enterprise and the weights assigned by the various users; and e) if a record relating to said party exists in said database, providing information relating to a relationship between said enterprise and said party to said user.

Claim 17

Cerwin, Shoemaker and Crockett taken separately or together do not disclose or anticipate steps d2, d3 and d4 of claim 12, and those claims dependent thereon, namely, d2) accessing a database that stores information about various users, including weights to be assigned by various users; d3) access said database for information relating to a relationship between said enterprise and said party that includes a value of said relationship to said enterprise, a quality of said relationship to said enterprise and the weights assigned by various users; and d4) if a record relating to said party exists in said database, send said information relating to a relationship between said enterprise and said party to said computer.

Claim 31

The art cited by the Examiner does not disclose or anticipate utilizing the weights assigned by the various users as weighted sums of the various users are responses to statements pertaining to various characteristics as claimed in claim 31.

Claim 32

The art cited by the Examiner does not disclose or anticipate having the characteristics include commitment, trust and satisfaction as claimed in claim 32.

Claim 33

The art cited by the Examiner also does not disclose or anticipate having the weights assigned by the various users to be weighted sums of the users responses to statements, pertaining to various characteristics as claimed in claim 33.

C. Claims 7 and 18 have been rejected by the Examiner under 35 USC § 103(a) over Cerwin in view of Shoemaker and further in view of Parker (U.S. Publication No. 2002/0052774 A1).

Claim 7

Claim 7 depends on claim 1, in addition to the arguments made in above Section A, please consider the following.

Parker discloses the following in [0032]:

"[0032] GUI 72 includes actions area 74, recent surveys area 76, and indicators area 78. Actions area 74 provides various options that relate to running a survey. As is the case with all of the options described herein, each of the options shown in FIG. 4 may be selected by pointing and clicking on that option. Briefly, option 80 generates and runs a survey. Option 82 examines, modifies or runs previously generated surveys. Option 84 displays information relating to a survey. Option 86 displays system leverage points. Option 88 displays survey responses graphically using, e.g., charts and graphs. Option 90 views customer (respondent) information from a survey according to demographics. That is, option 90 breaks-down survey responses according to the demographic information of a customer/respondent."

Parker discloses the ability of a user to use various options to preview survey results.

Cerwin, Shoemaker and Parker taken separately or together do not disclose or anticipate steps c, d and e of claim 1, and those claims dependent thereon, namely, c) accessing a database that stores information about various users including weights assigned by the various users; d) accessing a database of information relating to relationships between an enterprise and other parties wherein said information includes a value of said relationship to said enterprise, a quality of said relationship to said enterprise and the weights assigned by the various users; and e) if a record relating to said party exists in said database, providing information relating to a relationship between said enterprise and said party to said user.

Claim 18

Claim 18 depends on claim 12, in addition to the arguments made in above Section A, please consider the following.

Cerwin, Shoemaker and Parker taken separately or together do not disclose or anticipate steps d2, d3 and d4 of claim 12, and those claims dependent thereon, namely, d2) accessing a database that stores information about various users, including weights to be assigned by various users; d3) access said database for information relating to a relationship between said enterprise and said party that includes a value of said relationship to said enterprise, a quality of said relationship to said enterprise and the weights assigned by various users; and d4) if a record relating to said party exists in said database, send said information relating to a relationship between said enterprise and said party to said computer.

D. Claims 8, 10, 11, 19, 21 and 22 have been rejected by the Examiner under 36 USC § 103(a) over Cerwin in view of Couchot et. al.

In addition to the arguments made in above Section A please consider the following.

Claims 8, 10 and 11 depend on claim 1 and claims 19, 21 and 22 depend on Claim 12.

Claims 8, 10 and 11

Couchot discloses the following in paragraph [0005]:

"[0005] According to one embodiment of the present invention, reporting performance data includes receiving at least one client data rating generated from performance data comprising client data gathered from a client. At least one provider data rating generated from performance data comprising provider data gathered from a provider is received. The at least one client data rating and the at least one provider data rating to the client are reported."

Couchot discloses the reporting of performance data.

Cerwin and Couchot taken separately or together do not disclose or anticipate steps c, d and e of claim 1 and those claims dependent thereon, namely, c) accessing a database that stores information about various users including weights assigned by the various users; d) accessing a database of information relating to relationships between an enterprise and other parties wherein said information includes a value of said relationship to said enterprise, a quality of said relationship to said enterprise and the weights assigned by the various users; and e) if a record relating to said party exists in said database, providing information relating to a relationship between said enterprise and said party to said user.

Claims 19, 21 and 22

Cerwin and Couchot taken separately or together do not disclose or anticipate steps d2, d3 and d4 of claim 12, and those claims dependent thereon, namely, d2) accessing a database that stores information about various users, including weights to be assigned by various users; d3) access said database for information relating to a relationship between said enterprise and said party that includes a value of said relationship to said enterprise, a quality of said relationship to said enterprise and the weights assigned by various users; and d4) if a record relating to said party exists in said database, send said information relating to a relationship between said enterprise and said party to said computer.

E. Claims 9 and 20 have been rejected by the Examiner under 36 USC § 103(a) over Cerwin (U.S. Publication No. 2002/0188497 A1) in view of Couchot et. al. (U.S. Publication No. 2003/0065553 A1) and further in view of Feher (U.S. Publication No. 2004/0002893 A1).

In addition to the arguments made above please consider the following.

Claim 9 is dependent on Claim 1 and Claim 20 is dependent on Claim 12

Feher discloses the following in paragraphs [0020] and [0027]:

"[0020] The preferred embodiment uses a variety of data-input devices to collect past, current, and potential customer data. Among the methods may be data collected via customer service representative on the telephone 10, or via a customer service web site 10; data already stored on an existing customer relationship management infrastructure, such as Reynolds and Reynolds 20; data gathered via sweepstakes kiosk 30; data obtained from a dealer web site 40, a third party web site 50, or a third party database 60.

[0027] 3rd Party database 60 are customer information data directly obtained from third party marketing databases. Ideally, these databases will include information from an appropriate, relatively "localized" third party database, so that the dealership will have some basic information about potential customers who come to the dealership, even if those potential customers have not provided any information at all. These third party databases include companies such as www.polk.com that provide dealerships with databases that they have refined, filtered, or applied a predictive modeling matrix to better equip the dealer with targeting information. This refined database after importation into the consolidated customer relationship management/ASP 100 will be used for direct mail and/or phone campaigns. Again, the consolidated customer relationship management/ASP 100 will provide the platform for the process delivery."

Feher discloses third party databases. However, Feher does not disclose that the data will be collected and distributed by the third party in a secure manner to protect critical confidential information of the enterprise as claimed in claims 9 and 20.

PRAYER FOR RELIEF

Appellants' respectfully submit that appealed claims 1 – 3, 6 - 22 and 31 -34 in this application are patentable. It is requested that the Board of Appeal overrule the Examiner and direct allowance of the rejected claims.

Respectfully submitted,

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VIII. CLAIMS APPENDIX

1. A method for controlling a system for automatically generating and distributing information, comprising the steps of:
 - a) monitoring a document as it is processed by a user;
 - b) identifying a reference to a party in said document;
 - c) accessing a database that stores information about various users including weights assigned by the various users;
 - d) accessing a database of information relating to relationships between an enterprise and other parties wherein said information includes a value of said relationship to said enterprise, a quality of said relationship to said enterprise and the weights assigned by the various users; and
 - e) if a record relating to said party exists in said database, providing information relating to a relationship between said enterprise and said party to said user.
2. A method as described in claim 1 where said information is generated, at least in part, based upon survey responses by system users.
3. A method as described in claim 2 where said user is requested to respond to a survey when said information is provided and said user's response to said survey is used to update said information.
6. A method as described in claim 1 where said further information includes a weighted sum of ratings for a plurality of characteristics of said relationship.
7. A method as described in claim 1 where said further information is provided in graphical form.
8. A method as described in claim 1 where said information is generated, at least in part, based upon survey responses by other enterprises.

9. A method as described in claim 8 where said other enterprise responses are collected and distributed by a third party in a confidential and secure manner to protect critical confidential information of said other enterprises.

10. A method as described in claim 1 including the further step of formulating an inquiry to an information source in response to a request from said user.

11. A method as described in claim 10 where the scope of said inquiry, and to which information source, or sources, said inquiry is to be sent, are determined based on the nature and importance of the matter to which said inquiry relates.

12. A system for automatically generating and distributing information, comprising:

a) a computer for processing documents;

b) a database system comprising:

 b1) a database of information relating to relationships between an enterprise and other parties; and

 b2) a server for controlling access to said database and for communicating with said computer; where

c) said computer is programmed to:

 c1) monitor a document as it is processed by a user on said computer;

 c2) identify a reference to a party in said document; and

 c3) send information identifying said party to said server; and where

d) said server is programmed to:

 d1) receive said identifying information;

 d2) accessing a database that stores information about various users, including weights to be assigned by various users;

 d3) access said database for information relating to a relationship between said enterprise and said party that includes a value of said relationship to said enterprise, a quality of said relationship to said enterprise and the weights assigned by various users; and

d4) if a record relating to said party exists in said database, send said information relating to a relationship between said enterprise and said party to said computer.

13. A system as described in claim 12 where said information is generated, at least in part, based upon survey responses by system users.

14. A system as described in claim 13 where said server is further programmed to send a request to said computer for said user to respond to a survey when said information is provided and to update said information with new information reflecting said user's response to said survey.

15. A system as described in claim 12 where said information sent relates to a value of said relationship to said enterprise.

16. A system as described in claim 15 where said sent information includes further information relating to a quality of said relationship.

17. A system as described in claim 16 where said further information includes a weighted sum of ratings for a plurality of characteristics of said relationship.

18. A system as described in claim 16 where said further information is provided in graphical form.

19. A system as described in claim 12 where said information is generated, at least in part, based upon survey responses by other enterprises.

20. A system as described in claim 19 where said other enterprise responses are collected and distributed by a third party in a confidential and secure manner to protect critical confidential information of said other enterprises.

21. A system as described in claim 12 where said computer is further programmed to receive a request from said user for information from other information sources and said server is further programmed to formulate an inquiry to an information source in response to said request.

22. A system as described in claim 21 where the scope of said inquiry, and to which information source, or sources, said inquiry is to be sent, are determined based on the nature and importance of the matter to which said inquiry relates.

31. The method claimed in claim 1, wherein the weights assigned by the various users are weighted sums of the various users responses to statements pertaining to various characteristics.

32. The method claimed in claim 31, wherein the characteristics include commitment, trust and satisfaction.

33. The system claimed in claim 12, wherein the weights assigned by the various users are weighted sums of the users responses to statements, pertaining to various characteristics.

34. The system claimed in claim 33, wherein the characteristics include commitment, trust and satisfaction.

IX. EVIDENCE APPENDIX

There is no additional evidence to submit.

X. RELATED PROCEEDING APPENDIX

There are no related Appeals and Interferences.